

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Rosenberg Conf No: 9738

Serial No.: 10/601,455 Art Unit: 3761

Filed : June 23, 2003 Examiner: Leslie R. Deak

For : AN IMPLANTABLE MEDICAL DEVICE HAVING PRESSURE SENSORS FOR DIAGNOSING THE PERFORMANCE OF AN IMPLANTED MEDICAL DEVICE

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted via
The Patent and Trademark Office electronic filing system in accordance with 37 CFR 1.6(a)(4) on
January 12, 2009

/Eugene L. Szczecina, Jr./

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(Name of applicant, assignee, or Registered Representative)

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant(s) hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated August 11, 2008 finally rejecting Claims 1-46 of the above-identified application.

The item(s) checked below are appropriate:

1. An extension of time to respond to the final rejection was granted on for month(s).
2. A Petition For Extension Of Time under 37 CFR 1.136 will be paid by the USPTO fee portion of the e-filing system.
3. A timely response to the final rejection has been filed.
4. Fee \$540.00: for filing of Notice of Appeal
 Not required (fee paid in prior appeal)
 Charge to Deposit Account No. 10-0750/COD5001/ELS.
 The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment in connection herewith to Deposit Account No. 10-0750/COD5001/ELS.

Respectfully submitted,

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